

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEPHEN M. SALZMAN	:	CIVIL ACTION
	:	
v.	:	
	:	
BUCKS COUNTY COMMON PLEAS	:	
COURT DOMESTIC RELATION	:	
DIVISION, et al.	:	NO. 08-cv-05404-JF

MEMORANDUM AND ORDER

Fullam, Sr. J.

November 17, 2008

Earlier today, the above-named plaintiff presented a complaint in this action, together with a motion for leave to proceed *in forma pauperis*. He alleges that he was ordered by the Domestic Relations Division of the Court of Common Pleas of Bucks County to pay \$1,000 on account of his arrearages in support payments by last Friday, or face a 90-day sentence of imprisonment. He tried to appeal, but could not afford the filing fee for such an appeal. In the present case, he names as defendants the Court of Common Pleas and the Bucks County Public Defenders Office (which declined to represent him on appeal, since they only appeal in criminal cases).

Obviously, this Court has no jurisdiction to interfere in ongoing state-court proceedings. It is also apparent that plaintiff has not exhausted his state-court remedies. (He might seek leave to appeal *in forma pauperis* in the state system, or might be able to obtain relief from the judge who ordered him to

make the \$1,000 payment. According to plaintiff, he has a job, and his future economic prospects are bright.)

Be all that as it may, it must also be mentioned that, just a few months ago, plaintiff filed another action in this Court challenging the support order in question (C.A. No. 07-1682). I dismissed that action as frivolous, and denied leave to proceed *in forma pauperis*. The same ruling must be made here.

An Order follows.

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ORDER

AND NOW, this 17th day of November 2008, IT IS ORDERED:

1. Plaintiff's motion for leave to proceed *in forma pauperis* is DENIED, without prejudice to his right to seek relief in the state courts.

2. This action is DISMISSED as legally frivolous.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.